



# TOGETHER WITH TOSHA

Tennessee Department of Labor & Workforce Development

Division of Occupational Safety and Health

Spring 2001

## **Citation Issuance Procedures Change**

The law in Tennessee that determines when a TOSHA citation becomes a final order has changed. The new law (House Bill H1394, Senate Bill S1671) designates that citations issued for violations of occupational safety and health standards become a final order of the department 20 calendar days after receipt by the employer. This law makes the citation issuance procedures for TOSHA consistent with Federal OSHA and other state OSHA programs. In addition, the law provides increased protection for workers by reducing the time employees are exposed to identified hazards by shortening the abatement period. Informal conferences, when requested, can be held during the 20-day period and amendments, if appropriate, can be made during this time. The contest period runs concurrently with this 20-day period. After 20 calendar days, the citation becomes a final order.

## **Ergonomics Update**

The federal ergonomic standard that was published in the Federal Register on November 14, 2000, was recently repealed by Congress and signed by President Bush on March 20, 2001. This joint resolution to repeal the standard was passed under provisions of the Congressional Review Act of 1996. TOSHA had initiated the process of adopting the new federal standard, however, due to the actions taken on the federal level this process has been stopped.

Some employers and employees may still have ergonomic concerns that TOSHA has the expertise to help resolve. Remember that employers still have an obligation to provide a workplace that is free from recognized hazards. Our Consultative Services Division can help you find solutions to these issues. Look for more information on ergonomics in future editions of this newsletter.

## **Quick Facts About Women in the Workforce**

- Women currently comprise 46% of the workers in the U.S.
- Sprains, strains, carpal tunnel syndrome, tendonitis and other musculoskeletal disorders account for more than half (52%) of the injuries and illnesses suffered by female workers
- In one survey 60% of employed women cited stress as their number one problem at work
- Homicide is the leading cause of injury death for women

in the workplace accounting for 40% of all workplace death among female workers

- Over 25% of female victims of workplace homicide are assaulted by people they know
- Three-quarters of women of reproductive age are in the workforce
- Over half of the children born in the U.S. are born to working mothers
- An estimated 180,000 new cases of breast cancer and 12,000 new cases of cervical cancer will be diagnosed in 2001, some possibly linked to workplace exposure to hazardous substances
- Between 600,000-800,000 needlestick injuries occur annually in health care settings, mostly involving nurses-women comprise 92% of the 4.3 million nurses and nursing aides in the U.S.

NIOSH is currently conducting research on musculoskeletal disorders, job stress, reproductive hazards, violence in the workplace, cancer, and health care hazards to determine if there are links to women's health.

## **Dip Tank Standard Effective in Tennessee**

On March 30, 2001, the revised standards for Dipping and Coating Operations became effective in Tennessee. Wherever metals are coated, furniture is stripped and refinished, automobiles are repaired, aircraft are maintained, and leather is tanned, dip tanks are an essential part of the process. The liquids used to perform these operations are often dangerous, from both a safety and a health standpoint. These liquids include flammable substances such as acetone, corrosive materials such as cyanide acids and chromic acids, and chronic toxins such as perchloroethylene and methylene chloride.

The old requirements concerning dip tanks were found in 29 CFR 1910.108 and 1910.94. These standards have been rewritten in plain language and consolidated in sequential sections 1910.122 through 1910.126 in subpart H of part 1910.

The final rule does not change the technical substance of the former standards, nor does it alter the regulatory obligations placed on employers or the safety and health protection provided to employees. The performance-oriented language of the rule will facilitate compliance because it gives employers more compliance options than they had under the former standards. The standard can be found in the current (January 2001) TOSHA **Standards for General Industry**.

### *Together With TOSHA*

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## Typical Sound Levels

Decibel Level	Activity
20 .....	Watch ticking
30 .....	Whispering, library
40 .....	Leaves rustling, refrigerator
50 .....	Average home, neighborhood street
60 .....	Normal conversation, dishwasher, microwave
70 .....	Car, alarm clock, city traffic
80 .....	Garbage disposal, noisy restaurant, vacuum cleaner, outboard motor
85 .....	Factory, electric shaver, screaming child
90 .....	Passing motorcycle, lawn mower, convertible ride on a freeway
100 .....	Blow-dryer, diesel truck, subway train, helicopter, chain saw
110 .....	Car horn, snowblower
120 .....	Rock concert, prop plane
130 .....	Jet engine 100 feet away, air raid siren
140 .....	Shotgun blast

- Every step up of 10 decibels reflects a tenfold increase in sound. So 100 decibels is 10 times noisier than 90 decibels.
- TOSHA advises wearing hearing protection (ear plugs, muffs,

etc.) when exposure exceeds 85 decibels for more than a few hours

- TOSHA regulations require a hearing conservation program at any workplace where employees are exposed to 85 decibels during their entire eight-hour workshift
- TOSHA regulations require consideration of engineering controls (reduction in noise levels) at any workplace where employees are exposed to 90 decibels during their entire eight-hour workshift.

## Latest Data on Workplace Injuries and Illnesses

Workplace injury and illness rates nationally declined for the 6<sup>th</sup> year in a row, according to data from the Bureau of Labor Statistics. The Bureau reported an injury/illness rate of 6.7 cases per 100 equivalent full-time workers in 1998, the latest year for which data are available. This is compared to a rate of 7.1 in 1997. In Tennessee, fatal work injuries for 1998 were down 11%. Still one out of every 14 workers in Tennessee experienced a job-related injury or illness in 1998, with employees classified as operators, fabricators, and laborers having the highest number of occupational injuries and illnesses.



## 24th Annual Tennessee Safety & Health Congress & Exposition

"Promoting Safety & Health for  
Tennessee Workers"

**July 22-25, 2001  
Opryland Hotel  
Nashville, TN**

Featuring more than 65 workshops relative to all aspects of safety & health in the workplace.

An expanded exhibit hall designed to accommodate 150 exhibitors. Social functions including free admission for registered delegates to attend the Titanic Exhibit which will be featured at the Opryland Hotel during the summer of 2001. The exhibit will feature more than 300 original artifacts from the Titanic. New artifacts discovered in the summer of 2000 will make their debut during the event.

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## Ask TOSHA

How many fire extinguishers does TOSHA require in a workplace?

There is no requirement for a specific number. However, TOSHA standards require that fire extinguishers be located as follows:

1. Where electrostatic spraying equipment is used, all areas shall be protected by automatic extinguishing equipment [1910.107(h)(12)]
2. An adequate supply of portable fire extinguishers shall be installed near all spraying areas where flammable and combustible chemicals are used [1910.107(f)(4)]
3. Fire extinguishers shall be located outside of flammable chemical storage rooms and 10-15 feet from a storage area outside a storage room [1910.106(d)(7)]
4. If all employees are to use portable fire extinguishers to fight incipient stage fires, portable fire extinguishers shall be located as follows (1910.157):
  - Class A fires (ordinary combustible materials)—travel distance of 75 feet
  - Class B fires (flammable or combustible liquids, gases)—travel distance of 50 feet
  - Class C fires (energized electrical equipment)—on the basis of appropriate pattern for existing Class A or B
  - Class D fires (combustible metals)—travel distance of 75 feet

## TOSHA TIPS

**Condition:** The maximum weight permitted to be stored on a floor or platform was not posted in a conspicuous place.

**Potential Effects:** Sprains, strains, contusions, and fractures, from falls through collapsing floor; contusions, fractures, and crushing injuries, from being struck by falling objects during a floor collapse.

**Citation:** 1910.22(d)(1) FLOOR LOADING PROTECTION

**Recommended Action:** Post a weight-load limit sign. This sign must specify the amount of weight (in pounds per square foot) which can be stored safely on the floor or platform, as determined by a qualified engineer, and must be conspicuous, easy to read, and durable.

If the sign is lost or stolen, you may obtain help from the person in a municipal or state building department responsible for issuing construction permits, the person responsible for the design of the structure, or a consulting engineer or architect.

## Training Tracks

The Deep South Center for Occupational Health and Safety is an Education and Research Center sponsored by the National Institute for Occupational Safety and Health (NIOSH). The Center strives to be a regional center of excellence that promotes occupational health and safety through interdisciplinary education and research. It is a consortium of the University of Alabama at Birmingham and Auburn University. The Center offers programs on continuing education and outreach as well as academic programs in occupational health nursing, occupational safety and ergonomics, industrial hygiene, and occupational medicine residency.

Classes being offered in 2001 include the following:

—Audiometric Testing and Hearing Conservation	3 days
—Spirometry Workshop	2 days
—Fundamentals of Occupational Health Nursing: Practice at the Worksite	2 days
—Respirator Fit Testing Workshop	1 day
—Occupational Noise: Survey and Control	1 day
—Complying with OSHA Recordkeeping	1 day
—Fundamentals of Industrial Hygiene	5 days
—Air Sampling for Toxic Substances	3 days
—Respiratory Protection Programs	3 days
—Confined Space Entry and Rescue	3 days
—AHERA Refresher	1 day
—Occupational Medicine Update	2 days
—Bloodborne Pathogen Update	½ day
—Ergonomics of Occupational Vibration	2 days

Classes are held in Birmingham, Alabama, and Fort Walton Beach, Florida. For more information visit their web site at [uab.edu/dsc](http://uab.edu/dsc) or call 205-934-7178.

## Compliance Directive for Powered Industrial Truck Operator Training

OSHA has issued guidance to its safety and health officers on enforcing the powered industrial truck training standard. The requirements were issued as an addition to the existing standards in 1998 and apply to all industries except agricultural operations.

The new compliance directive was issued in November of 2000. The purpose of the instruction is to provide assistance to OSHA compliance officers to insure uniform enforcement of the revised standards. It therefore provides valuable information to employers who must comply with the requirements. You may obtain a copy of the directive at the OSHA web site by visiting the "Library/Reading Room" section of the homepage and clicking on "Directives." Click on "Directive Number," then "CPL-Compliance" and find CPL 2-1.28.



# Learn and Live

A worker entered a rail tank car to clean it using a high pressure water sprayer. The rail tank car contained about eight inches of residual crude corn oil in the bottom of the tank. He was authorized to enter per a permit stating that the oxygen level in the tank was 20.6% and signed by the entry supervisor. The entrant did not use additional mechanical ventilation and did not attach a life line to the harness he was wearing. Immediately upon entry he was reported to have become disoriented and tried to exit the ladder of the 10' high tank. An attendant at the top of the ladder reported that the entrant fell back into the tank, landing on his back and hitting the back of his head. He got up and again tried to exit. This time he fell face down in the corn oil. The attendant entered the tank to attempt a rescue, became disoriented, and fell down. Other employees pulled both men from the tank after fashioning a hook on the end of a piece of iron re-bar. The entrant was hospitalized and died several days later. The attendant who attempted to rescue his co-worker survived.

To prevent this accident from happening:

1. Comply with all requirements of the Permit-Required Confined Space Standard
2. Evaluate all confined spaces to determine if they are permit-required
3. Test the air before entry (oxygen, flammability, air contaminants)
4. Insure safe entry conditions (vent, purging/cleaning, ppe)
5. Train employees in the hazards involved and safe work practices
6. Establish a permitting system that requires signatures
7. Develop and implement rescue procedures